

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 7, 1997

DIVISION TWO

[illegible]

The order dismissing count one (Pen. Code, § 228.5) is affirmed. The case is to continue on the other charges pending.

Zebrowski, J.

We concur: Fukuto, Acting P.J.
 Nott, J.

B108322 Mueller et al.
v.
Saint Joseph Medical Center et al.

Filed order certifying opinion for publication.

B111472 Los Angeles County, D.C.S.
v.
Inez M.

Filed order modifying opinion and certifying opinion for publication. (No change in the judgment.)

B105537 People (Not for Publication)
v.
Gonzalez

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Zebrowski, J.

November 7, 1997-Continued

DIVISION TWO (Continued)

[illegible]

The Court:

The judgment is affirmed. The superior court is directed to prepare and file an amended abstract of judgment noting that a \$1,000 restitution fine was imposed and to send a certified copy of the amended abstract of judgment to the Department of Corrections.

Fukuto, Acting P.J., Nott, J., Zebrowski, J.

B101614 People (Not for Publication)
v.
Vasquez & Torres

The judgment as to Vasquez is affirmed. Torres' conviction for assault with a firearm is reversed.

Zebrowski, J.

We concur: Boren, P.J.
 Fukuto, J.

B092051 Musselman (Not for Publication)
v.
Re/Max Estate Properties, et al.

The judgment is affirmed.

Ito, J. (Assigned)

We concur: Boren, P.J.
 Nott, J.

DIVISION TWO (Continued)

B099246 McKinley, et al. (Not for Publication)

v.
Compton Unified School District

The judgment appealed from is affirmed. Each party is to bear its own costs on appeal.

Ito, J. (Assigned)

We concur: Fukuto, Acting P.J.
 Zebrowski, J. (Opinion)

B107502 People (Not for Publication)

v.
Titmas

The judgment is affirmed.

Ito, J. (Assigned)

We concur: Nott, Acting P.J.
 Zebrowski, J.

B110968 People (Not for Publication)

v.
Harris

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Zebrowski, J.

November 7, 1997-Continued

DIVISION THREE

[illegible]

The Court:

The judgment is affirmed.

Klein, P.J., Croskey, J., Aldrich, J.

[illegible]

The Court:

The judgment is affirmed.

Klein, P.J., Kitching, J., Aldrich, J.

B093643 Aurelio Cervantes Morales (Not for Publication)
v.
City of Los Angeles, etc. et al.

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION THREE (Continued)

B101214 Frank G. Carlisi (Not for Publication)

v.
Alfred Kemper, et al.

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B102918 Ian Herzog et al. (Not for Publication)

v.
Trans-World Bank

The judgment is affirmed. TWB is awarded costs on appeal.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aranda, J. (Assigned)

B109720 Deborah J. Manning (Not for Publication)

v.
Craig Creese, et al.

The judgments entered in favor of Manatt and Paterno are affirmed. Manatt and Paterno are awarded costs on appeal.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

DIVISION THREE (Continued)

B107353 Miguel A. Estrada
v.
Workers' Compensation Appeals Board
Corporate Graphics, etc. et al.

Filed order modifying opinion. (No change in the judgment.)

DIVISION FOUR

[illegible]

The Court:

For the foregoing reasons, we affirm the judgment.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

DIVISION FIVE

B109868 People (Not for Publication)
v.
Steven Albert Delatorre

The judgment is affirmed.

Armstrong, J.

We concur: Grignon, Acting P.J.
Godoy Perez, J.

DIVISION FIVE (Continued)

B108852 People (Not for Publication)
v.
Steve Manuel

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
Jackson, J. (Assigned)

B108552 People (Not for Publication)
v.
Robert T. Wilson

Affirmed.

Armstrong, J.

We concur: Grignon, Acting P.J.
Jackson, J. (Assigned)

B109189	People v. Mark Anthony Hodge	(Not for Publication)
B115132	In re Mark Anthony Hodge on Habeas Corpus	

The petition for writ of habeas corpus is denied. The abstract of judgment is ordered corrected to reflect that two five-year enhancement terms pursuant to section 667, subdivision (a) and one one-year enhancement term pursuant to section 667.5, subdivision (b) are added to count 1. The two five-year terms and two one-year terms added to count 1 pursuant to section 12022.5, subdivision (a) are ordered stricken. The ten-year term added to count 1 pursuant to section 12022.5, subdivision (a) is to remain. The abstract of judgment is also ordered corrected to reflect that appellant has 369 days of custody credit, not 370 days, and that his sentence is 46 years to life. The judgment of conviction is affirmed in all other respects.

Armstrong, J.

We concur: Turner, P.J.
Jackson, J. (Assigned)

DIVISION SEVEN

Court convened at 9:00 A.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J., Simpson, J. (Assigned), and Emma Jean Amos, Deputy Clerk.

B111655 Shapen
 v.
 S.C.L.A.
 (County of Los Angeles, r.p.i.)

Merits:

Argued by Donald Cook for petitioner and by Steven Renick and Roger H. Granbo for real parties in interest. Cause submitted.

B111431 Horn
 v.
 Corral

Merits:

Argued by Pamela Cooke for respondent and Edward Benes appearing for appellant and waiving argument. Cause submitted.

B100046 Clevenger
 v.
 Rodri

Merits:

Argued by Cress Templeton for appellants and by William Clevenger, in propria persona. Cause submitted.

B097411 Vaughan
 v.
 Slatter

Merits:

Argued by Leo A. Schwarz for appellants and by Neil Ison for respondents. Cause submitted.

DIVISION SEVEN (Continued)

B103116 Mosquera
 v.
 American Restaurant Group

Merits:
Argued by James Corbelli for appellants and by Marla Brown for
respondents. Cause submitted.

B091613 Phillips
 v.
 Unocal Corporation

Appearances:
Paul Stabile for appellant and by Neil Popritz for respondent. Argument
waived, cause submitted.

B107284 Cassim
 v.
 Allstate Insurance Company

Merits:
Argued by Ian Herzog for appellants and by J. Susan Graham for
respondent Debbie Birkmeyer and Charles Bennett for respondent
Dennison & Bennett and Press Dennison. Cause submitted.

B098470 Gamage
 v.
 Medical Board of California

Merits:
Argued by Beth Jacobs, deputy attorney general, for appellant and no
appearance for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B104578 Marrone
 v.
 Toyo USA, Inc.

Merits:
Argued by Dennis Nelson for appellant and by Kenneth Chung for
respondent. Cause submitted.

B097398 Martinez
 v.
 America's Mortgage Servicing, Inc.

Merits:
Argued by Mary Cochran for appellant and by Michael Bierman for
respondent. Cause submitted.

B103574 Condon
 v.
 Cooper

Matter continued to December 5, 1997, at 10:00 a.m.

B112584 County of Los Angeles
 v.
 Grady M.

Argument waived, cause submitted.

B105239 Silver
 v.
 Flegenheimer

Argument waived, cause submitted.

DIVISION SEVEN (Continued)

B101355 Forman v. Chicago Title Ins. Company
B105715 Scherlong v. Jana P.

Each:
Matter continued to December 5, 1997.

Court recessed.

The Court reconvened at 2:00 P.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J., Simpson, J. (Assigned), and Emma Jean Amos, Deputy Clerk.

B101769 Allstate Insurance Company
 v.
 State Farm Fire & Casualty

Merits:
Argued by Scott J. Vida for appellant and by Michelle Press and Terrell Quealy for respondents. Cause submitted.

B095895 Zavala
 v.
 Turner Construction Company

Merits:
Argued by Mervyn H. Wolf for appellant and by Amy W. Lewis for respondents. Cause submitted.

DIVISION SEVEN (Continued)

B104030 Zavala
 v.
 Turner Construction Company

Merits:
Argued by Mervyn H. Wolf for appellant and by Amy W. Lewis for
respondents. Cause submitted.

B100159 Fisher
 v.
 Gershkovich

Matter continued to December 5, 1997, at 2:00 P.M.

B098164 Cheyovich
 v.
 San Marino Unified School District

Merits:
Argued by Diana Cheyovich, in propria persona and by Gregory A. Willie
for respondent. Cause submitted.

Court adjourned.

B102757 Atkinson
 v.
 Hartford Casualty Insurance

Filed order denying petition for rehearing.

B106035 People
 v.
 Crutcher

Filed order denying petition for rehearing.